



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	<b>BOARD OF CHARITABLE GAMING</b>
MEETING DATE AND TIME:	<b>Thursday, July 5, 2012 at 1:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor of the Cannon Building
APPROVED:	August 2, 2012

**MEMBERS PRESENT**

Scott Angelucci, Chairman, Public Member  
James Greene, DE Volunteer Fireman's Association Member  
Tim Winstead, State Lottery Office Member  
Janet Williams-Coger, Non-Profit Member

**MEMBERS ABSENT**

Sharon McDowell, Vice Chair, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Robert Willard, Deputy Attorney General  
Kay Warren, Deputy Director  
Jean Betley, Lead Investigator  
Sandra Wagner, Administrative Specialist III  
Christine Mast, Administrative Specialist II  
Sheryl Paquette, Administrative Specialist III  
Vera Sitze, Court Reporter, Wilcox & Fetzer LTD.

**ALSO PRESENT**

Jack Vogel, Harrington Fire Co. (signed-in but did not stay for the meeting)

**CALL TO ORDER**

Mr. Angelucci called the meeting to order at 1:01 p.m.

**REVIEW AND APPROVAL OF MINUTES**

The Board reviewed the meeting minutes of June 7, 2012. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve the minutes as presented. The motion carried unanimously.

## **RULES & REGULATIONS PUBLIC HEARING – 1:10 P.M.**

**BOARD PRESENT:** James Greene, Tim Winstead, Scott Angelucci, Janet Williams-Coger

**PUBLIC PRESENT:** None

**PURPOSE:** The Board proposed to amend *10 Del. Admin. Code Part 101* to correct various typographical errors and to eliminate references to specific statutory sections which the Board anticipates will be amended by the legislature. The Board also proposed that a new section be added to show that Bingo events may not be conducted at a charitable gaming vendor's facility. The Board proposed to amend the definition of "raffle" in *10 Del. Admin. Code Part 102* to clarify that a raffle with a series of drawings over six months will be charged a single fee for the entire six month period, and also make it clear that chances in such a raffle may be purchased throughout the six month period. The Board also proposed to amend the Regulations Governing Raffles clarifying that one must be at least 18 years old to participate in a Raffle. A new proposed section 2.2 would clarify that the sponsoring organization must handle all money in all Raffles and cannot utilize any third party, such as PayPal. The Board proposed another new section 3.8 to indicate that houses or other properties may not be offered as prizes for Raffles. The Board recommended that obsolete statutory references be deleted from the Regulations Governing Raffles. The Board proposed to amend *10 Del. Admin. Code Part 103*, to correct grammatical errors and delete obsolete statutory references. The Board proposed a new section 6.4 to be added, requiring that new ownership of any charitable gaming vendor must submit a valid Delaware business license. Any charitable organization with a license to conduct an event using said vendor must inform the Board that it is aware of the ownership change and confirm that it will continue with the event under the new ownership. In addition, the Board proposed an amendment to Rule 3.1.6 clarifying that no tip cups may be placed on a table as tips are not permitted at Charitable Gaming events. The Board conceded that although tips are not allowed, donations to charitable organizations are permitted to be placed in containers near the entrance to the game, and accessible only to the Member-In-Charge. Finally, the Board recommended that obsolete statutory references be deleted from *10 Del. Admin. Code Part 104*.

**PRESIDING:** Scott Angelucci, Chairman

**DIVISION STAFF:** Sandra Wagner, Christine Mast, Sheryl Paquette, Jean Betley, Kay Warren

**BOARD COUNSEL:** Robert Willard, Deputy Attorney General

**COURT REPORTER:** Vera Sitzes, Wilcox and Fetzer

The hearing began at 1:10 p.m. Mr. Willard stated that the purpose of the hearing was to receive public comment regarding the Board's proposed amendments to its Rules and Regulations governing Bingo, Raffles, Charitable Gaming, and Texas Hold'em Tournaments, and summarized the amendments for the public. Mr. Willard advised that the proposed changes and notification of the public hearing were published in the Register of Regulations and two newspapers. Mr. Willard confirmed that no public comment had been received by the Board office. There was no public present for comment during the hearing. There being no comment, Mr. Greene made a motion, seconded by Ms. Williams-Coger, to adopt the amendments as proposed. The motion unanimously carried. Mr. Willard advised that the amendments will be re-published in the August 2012 Register of Regulations and will take effect 10 days after publication.

The hearing adjourned at 1:18 p.m.

## **UNFINISHED BUSINESS**

### **Final Denials** - None

### **Re-Review of Contingent Approvals and PTD Applications** – None

### **Revisit the Division's Delegation of Authority for Charitable Gaming**

Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve delegation of authority for an additional 6 months with the exception of Instant Bingo, Raffles, and Texas Hold'em Tournaments, to be reviewed again in January. Mr. Willard explained to Mr. Winstead (new Board member) the delegation of authority given to the Division with the exception of Instant Bingo, Raffles, and Texas Hold'em Tournaments. The motion carried unanimously.

Deputy Director, Kay Warren, questioned why the Board was approving another 6 month trial and asked if there would be a time when full delegation of authority would be granted to the Division. Mr. Greene stated that the legislature recommended that the Board keep its licensing authority, and not delegate the authority to the Division. Ms. Warren referred to the law, citing that the Board and the Director may agree to delegation of authority if deemed necessary. Mr. Greene stated that he would be glad to discuss delegation of authority with the Division's Director, James Collins. Ms. Warren requested clarification on the decision to extend for an additional trial period. Ms. Williams-Coger asked if there were checks and balances. Mr. Angelucci acknowledged that the prior six month trial period proved successful for the Division and the Board. The Board clarified that an additional six months of delegation of authority would be granted and reevaluated in January 2013.

## **NEW BUSINESS**

### **Executive Session** - None

### **Board Member Reports**

Mr. Greene referenced the Board's recent legislative bill passed the House, but never made it to the floor of the Senate for consideration. Mr. Greene thanked Mr. Willard for his time during the legislative session, and expressed his disappointment in the process and what he felt was a lack of support from the Division and the legislators. Mr. Greene stated that he was upset that Mr. Collins and Senator Bunting had not worked the bill enough to get it done, and added that a lot of time was wasted. Mr. Willard stated that Mr. Collins was there every time he attended. Mr. Willard stated the Sunset Review Committee suggested all the changes and agreed that there should have been no controversy with the bill since it had already unanimously passed the House. Mr. Willard reported that he spoke with Mr. Collins several times throughout the evening and Mr. Collins advised that he was doing all he could to get the bill on the agenda. Mr. Willard also spoke to Senator Bunting and questioned why he wasn't doing more to support the bill that he sponsored. Mr. Willard felt that Senator Bunting had little response to his questions. Mr. Willard stated that Mr. Collins did all he could to move the bill forward. Ms. Warren stated that the bill would have to be introduced in January's legislative session, and added that she had spoken with the Executive Director of the Joint Sunset Committee who gave all indications to Ms. Warren that the bill would get done. Ms. Warren stated that both she and Mr. Collins were working on the bill behind the scenes and that Mr. Collins had met with Senator Bunting on at least three occasions throughout the evening urging him to push the bill through the Senate. Mr. Collins also asked the House Sunset Chair to speak to Senator Bunting to get the bill onto the agenda for the Senate's consideration. Ms. Warren expressed her surprise that it didn't get through. She also thanked Mr. Willard and Mr. Greene for their efforts throughout the process.

### **Delegation of Authority** - None

### **Review of Applications for Texas Hold'Em Tournaments** - None

**Review of Applications for Charitable Gaming Events**

Church of the Holy Child (1<sup>st</sup> time app, Royal Flush)

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Winstead, to approve the first-time Charitable Gaming application of Church of the Holy Child. The motion carried unanimously.

**Review of Applications for Instant Bingo Events**

VFW Post 7447 (Exp. 1999 New App.)

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Greene, to approve the Instant Bingo application of VFW Post 7447. The motion carried unanimously.

American Legion Post 6

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Winstead, to approve the Instant Bingo application of American Legion Post 6. The motion carried unanimously.

Loyal Order of the Moose 2316 Milford (1<sup>st</sup> Time App)

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Winstead, to approve the first-time Instant Bingo application of Loyal Order of the Moose 2316 Milford. The motion carried unanimously.

Delaware Veterans Inc. Post 1 (See By-Laws and Mission Statement)

Mr. Angelucci reviewed the application. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to propose to deny the Instant Bingo application of Delaware Veterans Inc. Post 1 because the organization's IRS designation of 501(c)7 is not a qualified charitable designation acceptable to the Board. The motion carried unanimously.

VFW Post 7234 Mason Dixon (Exp. 2002 New App., IRS)

Mr. Angelucci reviewed the application. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve the Instant Bingo application of VFW Post 7234 Mason Dixon contingent upon receipt of acceptable IRS documentation. The motion carried unanimously.

**Review of Applications for Bingo Events**

Holy Rosary Catholic Church (Game 1 Card Arrangement)

Mr. Angelucci reviewed the application. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve the Bingo application of Holy Rosary Catholic Church contingent upon receipt of a written explanation of the winning card arrangement titled, "Little Caesar Early Bird". The motion carried unanimously.

St. Elizabeth Ann Seton Parish (Promo Give-A-Ways)

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Greene, to table the Bingo application of St. Elizabeth Ann Seton Parish. The Board will send the organization a letter requesting an explanation of the promotional giveaways, including clarification of the 50/50 prize amounts and the dates listed on the application. Also, the Board noted that there is a \$500 per annum limit on promotional giveaways. The Board will re-review the application at its August meeting. The motion carried unanimously.

The Way Home, Inc (Out dated IRS, no MIC letter)

Mr. Angelucci reviewed the application. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve the Bingo application of The Way Home, Inc. contingent upon receipt of an acceptable Member-In-Charge letter and IRS documents. The motion carried unanimously.

**Review of Applications for Raffles**

American Legion, Department of Delaware (1<sup>st</sup> Time App.)

Mr. Angelucci reviewed the application. Ms. Williams-Coger made a motion, seconded by Mr. Winstead, to approve the first-time raffle application of American Legion, Department of Delaware. The motion carried unanimously.

**Review of Requests to Amend Previously Approved Event** - None

**Inclement Weather/State of Emergency Requests** - None

**Approval of Licensure List - attached**

Ms. Williams Coger read aloud the Raffle licensure list. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to approve the raffle applications of Holy Family Church and Delmar Fire Department. The motion carried unanimously.

**Ratification of Charitable Gaming Event Permits Issued - attached**

Ms. Williams-Coger read aloud the Charitable Gaming ratification list. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to ratify the Charitable Gaming licensure of Seaford Lions Foundation, Knights of Columbus Seton Council, Cape Henlopen Senior Center, First State Harmonizers, Holy Family Church, Read Aloud Delaware, Rehoboth Cooperative Preschool, Mirworth Enterprises, Delaware SPCA, and Ducks Unlimited. The motion carried unanimously.

**Ratification of Bingo Event Permits Issued - attached**

Ms. Williams-Coger read aloud the Bingo ratification list. Mr. Greene made a motion, seconded by Ms. Williams-Coger, to ratify the Bingo licensure of Mamie A. Warren Senior Center, Indian River Volunteer Fire Company, Oak Orchard Riverdale American Legion Post 28, and Bowers Fire Company. The motion carried unanimously.

**Hearings/Consent Agreements**

Complaint 22-03-12 (McDowell) Pending Hearing by DPR Hearing Officer

Complaint 22-06-12 (Angelucci) Pending Hearing by DPR Hearing Officer\*

Complaint 22-05-11 (Greene) Pending Hearing\*

Complaint 22-07-11 (Messina) Pending Hearing by DPR Hearing Officer\*

Mr. Angelucci reported the hearing statuses listed above.

Consent Agreement for Complaint 22-02-11 (Greene) Status Update Mr. Willard\*

Mr. Willard stated that the Consent Agreement between the State of Delaware and MERR Institute/Suzanne Thurman required the respondent to return all raffle funds no later than May 31, 2012. The Board office has not received confirmation from the respondent of the returned funds. Mr. Willard stated that in a conversation between Ms. Thurman and Ms. Wagner, Ms. Thurman claimed that she never received the Letter of Reprimand from the Board which provided specific instructions regarding the return of all raffle funds. The Board agreed that it must receive proof from the respondent no later than July 31, 2012, that all raffle funds have been returned and all reporting has been taken care of.

**Complaint Assignment and Status** - None

**Inspection Reports**

Holy Rosary Roman Catholic Church

Mr. Angelucci summarized the inspection report for Holy Rosary Roman Catholic Church, noting that they had 3 violations.

Debra Sipple Memorial\*

Mr. Angelucci summarized the inspection report of Debra Sipple Memorial, noting that they had 6 violations.

St. John the Beloved Athletic Association\*

Mr. Angelucci summarized the inspection report of St. John the Beloved Athletic Association, noting that they had 4 violations.

St. Anthony of Padua (Charitable Gaming Inspection)\*

Mr. Angelucci summarized the Charitable Gaming inspection report of St. Anthony of Padua, noting that they had 7 violations.

St. Anthony of Padua (Raffle Inspection)\*

Mr. Angelucci summarized the Raffle inspection report of St. Anthony of Padua, noting that they had 3 violations.

Knights of Columbus Seton Council 7990\*

Mr. Angelucci summarized the inspection report of Knights of Columbus Seton Council 7990, noting that they had 1 violation.

**OTHER BUSINESS BEFORE THE BOARD**

Inquiry from James Callahan Customer Service Developer

The Board reviewed the inquiry from James Callahan, and tabled his request until the Board's Statute has been amended by the legislature in regards to electronic gambling. Ms. Mast will notify Mr. Callahan of the Board's decision.

**PUBLIC COMMENT** - None

**NEXT MEETING**

The next scheduled Board meeting is August 2, 2012 at 1:00 p.m., at 861 Silver Lake Boulevard, Cannon Building Conference Room B Dover, Delaware.

**ADJOURNMENT**

There being no further business before the Board, Mr. Greene made a motion, seconded by Ms. Williams-Coger, to adjourn the meeting at 2:15 p.m. The motion carried unanimously.

Respectfully Submitted,



Christine Mast  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*